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SWORN SUBCONTRACTOR'S CLAIM FOR MECHANICS' LIEN

Doc#: 1135531047 Fee: \$30.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 12/21/2011 02:43 PM Pg: 1 of 4

TO OWNER:
GX Chicago, LLC
1030 W. Chicago Ave., Suite 300
Chicago, IL 60642

TO FIRST LENDER:
Related UBC Opportunity Fund, LP
c/o Related Companies
60 Columbus Circle
New York, NY 10023

TO SECOND LENDER:
City of Chicago, Illinois by its Clerk
121 N. LaSalle St., Room 107
Chicago, IL 60602

TO GENERAL CONTRACTOR:
Ledcor Construction, Inc.
One Lincoln Center
18W140 Butterfield Rd., Suite 400
Oakbrook Terrace, IL 60181

TO SUBCONTRACTOR:
Galaxy Environmental, Inc.
4242 N. Cicero Ave.
Chicago, IL 60641

FROM SUB-SUBCONTRACTOR:
Decmen Construction, Inc.
1065 River Park Circle W
Mukwonago, WI 53149

via certified mail

PROJECT NAME: "The Green Exchange."

PROPERTY SITE DESCRIPTION: 2545 W. Diversey Ave., Chicago, IL 60647, P.I.N. 13-25-404-001-0000, and 2753-57 N. Maplewood Ave., Chicago, IL 60647, P.I.N. 13-25-405-001-0000, 13-25-405-002-0000, and 13-25-405-003-0000, legally described on Exhibit A attached.

Pursuant to the Illinois Mechanics Lien Act, 770 ILCS 60/0.01 *et seq.*, particularly §§ 28 and 7 of the Act, Lien Claimant and Sub-subcontractor Decmen Construction, Inc. ("Decmen") and its partial assignee, Highlander Builders, Inc. ("Highlander"), hereby make this sworn claim for lien against the above interested parties, i.e., Owner: GX Chicago, LLC; First Lender: Related UBC Opportunity Fund, LP; Second Lender: City of Chicago, Illinois; General Contractor: Ledcor Construction, Inc.; and Subcontractor: Galaxy Environmental, Inc., stating as follows:

1. Owner has owned the above-described property (the "Site") continuously since at least December 27, 2010.
2. Thereafter, Owner entered into a contract with General Contractor to erect a building on and improve the Site.
3. Thereafter, as authorized or knowingly permitted by Owner, General Contractor entered into a contract with Subcontractor, including extra and additional work under subsequent order, to improve the Site performing construction services.

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4. Thereafter, as authorized or knowingly permitted by Owner and/or its agent General Contractor, on or about May 21, 2011, Subcontractor entered into a contract with Sub-subcontractor Decmen to furnish carpentry decking labor and material to improve the Site. The total contract price, including all extra and additional work under subsequent order, is \$88,650.00.

5. Decmen furnished labor and material to improve the Site and fully and satisfactorily performed under its contract and any amendments. It completed work September 23, 2011.

6. On August 29, 2011, Decmen assigned for collateral purposes \$32,000.00 due and payable to it under its contract, lien, claim, or right to lien to assignee Highlander in consideration of \$32,000.00 loaned to Decmen.

7. To date, no payment has been made to Decmen or Highlander for the above carpentry decking work.

8. After allowing all just credits, the balance due and owing Lien Claimant Decmen is \$88,650.00, \$32,000.00 of which has been assigned to Highlander, plus interest at the rate of 10% per annum on the balance from the date due pursuant to §§ 21 and 1 of the Act, plus the reasonable attorney's fees of the Lien Claimant pursuant to §17(b) of the Act.

The undersigned claim a lien thereon against your interest in the above-described property and also against the money due or to become due from Owner under the original contract as amended.

To the extent permitted by law, all waivers of lien heretofore given by Lien Claimant in order to induce payment not received are hereby revoked. Acceptance of payment by Lien Claimant of part, but not all, of the amount claimed due hereunder shall not operate to invalidate this claim for lien.

Dated: December 21st, 2011.

Decmen Construction, Inc.

by 

Donald E. Nelson, President

Highlander Builders, Inc., assignee

by 

Konstantinos D. Antoniou, Vice President


This lien was prepared by:
 Brian J. Mc Collam
 Brian J. Mc Collam & Assoc., P.C.
 111 W. Washington St., Suite 1051
 Chicago, IL 60602
 Tel. 312-782-5705

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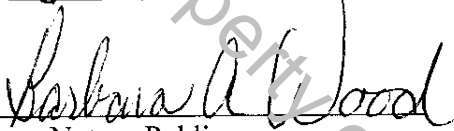
STATE OF WISCONSIN)
) s.s.
COUNTY OF WAUKESHA)

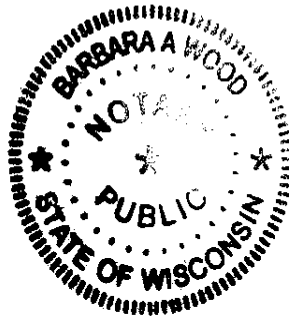
AFFIDAVIT

Donald E. Nelson, being first duly sworn on oath, deposes and states that he is President of the Lien Claimant, that he has read the foregoing claim for mechanics' lien and knows the contents thereof, and that all of the statements therein are true.


Donald E. Nelson

Subscribed and sworn to before me
this 16th day of December, 2011



Notary Public



STATE OF ILLINOIS)
) s.s.
COUNTY OF COOK)

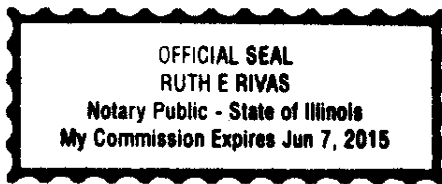
AFFIDAVIT

Konstantinos D. Antoniou, being first duly sworn on oath, deposes and states that he is Vice President of the Lien Claimant assignee, that he has read the foregoing claim for mechanics' lien and knows the contents thereof, and that all of the statements therein are true.


Konstantinos D. Antoniou

Subscribed and sworn to before me
this 21st day of December, 2011


Notary Public



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EXHIBIT A PROPERTY DESCRIPTION

Parcel 1:

Legal description:

LOTS 1 TO 13, ALL INCLUSIVE, LOTS 26 TO 34, ALL INCLUSIVE, AND THE VACATED ALLEY RUNNING NORTH AND SOUTH LYING BETWEEN LOTS 1 TO 12 AND 26 TO 34, AND ALSO THE VACATED ALLEY LYING SOUTH OF AND ADJOINING SAID NORTH AND SOUTH VACATED ALLEY AND SOUTH OF LOTS 12, 13, 26, 27, AND 28 AND ADJOINING SAID LOTS, AND THE RIGHT OF WAY OF THE CHICAGO AND NORTHWESTERN RAILROAD IN BLOCK 17 IN CROSBY'S SUBDIVISION OF THE EAST ½ OF THE SOUTHEAST ¼ OF SECTION 25, TOWNSHIP 40 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

commonly known as 2545 W. Diversey Ave., Chicago, IL 60647

with P.I.N. 13-25-404-001-0000

and

Parcel 2:

Legal description:

LOTS 41, 42, AND 43 IN BLOCK 24 IN CROSBY'S SUBDIVISION OF THE EAST ½ OF THE SOUTHEAST ¼ OF SECTION 25, TOWNSHIP 40 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

commonly known as 2753-57 N. Maplewood Ave., Chicago, IL 60647

with P.I.N. 13-25-405-001-0000, 13-25-405-002-0000, and 13-25-405-003-0000.